IN THE HIGH COURT OF ANDHRA PRADESH
AT HYDERABAD

W.P.No.26085 of 2000

Between:

Pathiwada Pavani

..Petitioner

and

1. The Commissioner of Tribal Welfare,
T.S.Bhavan, Masab Tank, Hyderabad and others.

..Respondents

THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY

W.P.No.26085 of 2000

Oral Order:

This writ petition is being filed to admit the petitioner in the course of B.Tech. (Computer Course) under the quota allotted to ST candidates duly declaring the inaction on the part of the respondents to treat the petitioner's caste status as that of ST and denying the seat in the said category.

While admitting the writ petition this Court by interim order dated 29-12-2000 directed the respondents to give provisional admission to the petitioner as per Rule 19 of A.P. (Scheduled Castes, Scheduled Tribes & Backward Classes) Regulation of Issue of Community Certificate Rules.

The Commissioner Tribal Welfare filed a counter along with vacate stay petition stating that the findings of enquiry were communicated to the Collector and District Magistrate, Hyderabad with a request to place the matter before the District Level Screening Committee to finalise the claim of the petitioner in the light of the certificate issued by the Revenue Divisional Officer, Nampally Hyderabad certifying that the children of P.Venkataramana belongs to ST. The Commissioner Tribal Welfare is one of the members of District Level Screening Committee. On furnishing the report the District Collector cancelled the certificate issued by the Revenue Divisional Officer on which basis the petitioner was provisionally admitted and continued her education.

It is now represented that questioning the cancellation of

caste certificate issued in her favour the petitioner filed a writ petition in this court and it is pending.

In view of pendency of the above writ petition and having petitioner completed her education basing on the provisional admission, her claiming ST status in future either in employment or any other benefit will abide by the decision in the writ petition filed by her questioning the cancellation of caste certificate.

In view of the same, suffice to say interim order obtained by her for prosecuting the studies in the seat earmarked for ST candidates cannot enure any benefit to claim tribal status.

The writ petition is accordingly disposed of. No costs.

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A.GOPAL REDDY, J.

25-07-2007

Murthy